Notice of Allowability	Application No.	Applicant(s)
	10/678,046	KONOPKA ET AL.
	Examiner	Art Unit	
	Dohm Chankong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Applicant's amendment,, filed 4/25/2007*.
      1, 3-11, 16, 18, 19, 21 and 22
2. ☒ The allowed claim(s) is/are ~~1-3-11,16,18,19 and 21-24.~~

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the
           International Bureau (PCT Rule 17.2(a)).
    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .
    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
        Paper No./Mail Date _____ .
    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)
1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER
7/12/7

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Freeland on Monday, July 9, 2007.

1>   The application has been amended as follows:

a.   Claims 12-14, 23, and 24 are cancelled;

b.   Claims 1 and 16 are amended to incorporate the limitations of claim 4:

Claim 1

A method for use in remotely diagnosing an electronic device, comprising:

initiating a diagnostic analysis of an electronic device;

identifying the electronic device;

determining whether the electronic device comprises a diagnostic controller;

receiving a plurality of scripts for diagnosing the electronic device communicated over a distributed network, wherein the receiving the plurality of scripts includes receiving within the diagnostic controller at least one web page having one or more of the plurality of scripts and the diagnostic controller extracting at least one of the plurality of scripts from the at least one web page;

remotely receiving the diagnostic controller over the distributed network prior to the identifying the electronic device;

determining whether at least one of the plurality of scripts was previously received;

storing those scripts that were not previously received;

determining whether one or more of the plurality of scripts determined to have been previously received are updated scripts of one or more scripts previously received;

storing the one or more updated scripts when the one or more updated scripts are updated scripts of the one or more previously received scripts;

remotely initiating a first diagnostic instruction with at least one of the plurality of scripts;

receiving a response based on the first diagnostic instruction;

determining a second diagnostic instruction based on the response; and

remotely initiating the second diagnostic instruction with at least one of the plurality of scripts.

Claim 16

A system for use in remotely diagnosing an electronic device, comprising:

means for initiating a diagnostic analysis of an electronic device;

means for identifying the electronic device;

means for determining whether the electronic device comprises a diagnostic controller;

means for receiving a plurality of scripts for diagnosing the electronic device communicated over a distributed network, wherein the receiving the plurality of scripts includes receiving within the diagnostic controller at least one web page having one or more of the plurality of scripts and the diagnostic controller extracting at least one of the plurality of scripts from the at least one web page;

means for remotely receiving the diagnostic controller over the distributed network prior to the identifying the electronic device;

means for determining whether at least one of the plurality of scripts was previously received;

means for storing those scripts that were not previously received;

means for determining whether one or more of the plurality of scripts determined to have been previously received are updated scripts of one or more scripts previously received;

means for storing the one or more updated scripts when the one or more updated scripts are updated scripts of the one or more previously received scripts;

means for remotely initiating a first diagnostic instruction with at least one of the plurality of scripts;

means for receiving a response based on the first diagnostic instruction;

means for determining a second diagnostic instruction based on the response; and

means for remotely initiating the second diagnostic instruction with at least one of the plurality of scripts.

2>   The following is an examiner's statement of reasons for allowance: Combined with

Applicant's amendment filed April 25, 2007, this Examiner's amendment introduces

limitations that distinguish over the prior art in one respect. Namely, claims 1 and 16 now

recite that the plurality of scripts that are in the web page are transmitted to the diagnostic

controller (at a client device) whereby the client determines whether the scripts have been

already received or if the scripts comprise updates to already existing scripts.

While the feature of determining whether scripts are new or updates to old scripts is

not by itself novel, Applicant's limitations distinguish over the prior art because the

determination step takes place after the scripts have been already transmitted to the client

device. The prior art is replete with examples whereby the server first determines whether

scripts are new or updates and then transfers only those scripts to the client. Here however,

in Applicant's claims the scripts are sent to the client device regardless of whether they are

new or updates and the client device is then responsible for determining whether to store the

scripts based on if the scripts are new or updates to old scripts. This shift of the

determination step from the server to the client is a novel step.

This examiner's amendment introduces limitations of claim 4 which serve to further

distinguish over the prior art as the diagnostic controller is transmitted to the client device

prior to any identification of the client device. Coupled with the functionality described

above, Applicant's claims are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons
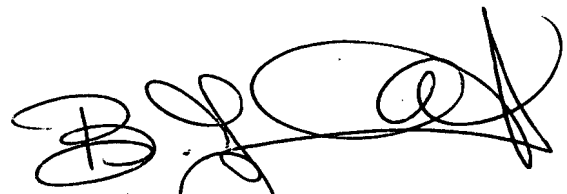for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Dohm Chankong whose telephone number is 571.272.3942. The
examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published
applications may be obtained from either Private PAIR or Public PAIR. Status information
for unpublished applications is available through Private PAIR only. For more information
about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on
access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-
9197 (toll-free). If you would like assistance from a USPTO Customer Service
Representative or access to the automated information system, call 800-786-9199 (IN USA
OR CANADA) or 571-272-1000.

DC

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

7/12/7